

IN THE UNITED STATES DISTRICT COURT
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

L.E., by his next friends)
and parents, SHELLEY)
ESQUIVEL and MARIO ESQUIVEL)
)
 Plaintiff)
)
vs.)
)
BILL LEE, in his official)
capacity as Governor of the)
Tennessee, et al.)
)
 Defendants)

No. 3:21-cv-00835

VIDEOTAPED

DEPOSITION

OF

L.E.

August 1, 2022

DONNA D. TOUSEULL, LCR
HOOD & McMASTERS
P. O. Box 894, Seymour, TN 37865-0894
Telephone: 865-577-5181

VIDEOGRAPHER: Ernie Tracy, Tracy Imaging

APPEARANCES:

MS. SASHA BUCHERT

MS. LI NOWLIN-SOHL

MS. BRITANY RILEY-SWANBACK

Attorneys for Plaintiff

L.E. by his next friends and
parents, Shelley and Mario Esquivel

MS. STEPHANIE BERGMAYER

MR. TRAVIS ROYER

MR. CLARK HILDABRAND (via Zoom)

Attorneys for Defendants

Governor Bill Lee, et al.

MS. JESSICA JOHNSON

MS. AMANDA MORSE

MR. DAVID SANDERS (via Zoom)

Attorneys for Defendants

Knox County Board of Education, et al.

INDEX

WITNESS	PAGE
---------	------

L.E.	
------	--

Examination by Ms. Bergmeyer.....	4
-----------------------------------	---

Examination by Ms. Johnson.....	34
---------------------------------	----

Examination by Ms. Buchert.....	41
---------------------------------	----

INDEX OF EXHIBITS

NO.	DESCRIPTION	PAGE
-----	-------------	------

1 The videotaped deposition of L.E., taken pursuant
2 to notice for any and all purposes allowable under the
3 Federal Rules of Civil Procedure before DONNA D. TOUSEULL,
4 Licensed Court Reporter in the State of Tennessee, on the
5 1st day of August 2022 at the Knox County Law Office,
6 Suite 612, City-County Building, 400 W. Main Street,
7 Knoxville, Tennessee.

8 It is agreed that the reporter may swear the
9 witness, take the deposition stenographically, and
10 afterwards reduce the same to typewritten form when the
11 completed deposition may be used in the above-styled
12 cause.

13 All objections except as to the form of the
14 question are reserved until the time of hearing. All
15 formalities are expressly waived as to caption,
16 certificate, transmission, and the reading and signing of
17 the deposition by the witness.

18 THE VIDEOGRAPHER: Okay. We're on the
19 record. The time on the camera is 10:06. You may
20 swear the witness.

21 L.E.,
22 having been first duly sworn, was examined and
23 testified as follows:

24 EXAMINATION

25 BY MS. BERGMEYER:

1 when I think there is something I definitely want to
2 improve on. Like, there's always something to improve on,
3 but something in particular, like, maybe with my irons, or
4 I'm struggling to keep the ball more straight and it's
5 curving a little bit right, or maybe my long putts are not
6 doing very good at the time, so I want to improve on that.

7 Q Have you tried to tee off from either the
8 yellow or red tee boxes?

9 A Yes, I -- yeah, I did do red a little
10 bit, though I would usually go up a club or two or just
11 stay with the same club but do a fuller swing instead of a
12 half swing.

13 Q How many times did you play golf this
14 summer?

15 A To be honest, I'm not keeping track of
16 how many times I play. I mean, I went golfing, like, two
17 days ago because I was in Florida and there's, like, a
18 little Top Golf, but not really Top Golf. It was, like,
19 half.

20 Q When you play golf with your dad, do you
21 play a 9-hole course or an 18-hole course?

22 A Nine hole because 18 holes is, like, the
23 whole day. We don't have that time.

24 Q Do you know when the last time you played
25 a 9-hole course was?

1 A I don't remember. Actually, wait. I
2 don't know the exact date, so I can't -- it was recent.
3 Well, it was like -- I'm just going to say I don't
4 remember.

5 Q Okay. Do you think it would have been
6 sometime this summer?

7 A Oh, yeah, it's been the summer.

8 Q Do you follow professional golf?

9 A I'm sorry? Can you --

10 Q Do you follow professional golf?

11 A Like, watch it?

12 Q Yes.

13 A I mean, I usually just -- it's -- if it's
14 on, I just glance to see who's playing and if they did a
15 good shot and then do something else.

16 Q Do you have any favorite professional
17 golfers?

18 A No. I'm trying to think. No.

19 Q Did you want to play golf for your
20 high-school golf team?

21 A Yes. I wanted to play on the guys' golf
22 team.

23 Q Okay. And what made you decide that you
24 wanted to play for the guys' team?

25 A Because I'm a boy.

1 Q Did you talk to anyone about wanting to
2 play golf for the high-school boys' team?

3 A Yes.

4 Q Okay. Who did you speak with?

5 A My mom, dad, friends, lawyer, lawyers.

6 Q Sure.

7 A Yeah.

8 Q Do you know who the boys' golf coach is
9 for Farragut High School?

10 A No.

11 Q Do you know when the boys' golf team have
12 tryouts at your school?

13 A No, though I think my mom does.

14 Q Do you follow the players on the Farragut
15 boys' golf team or keep track of how they're doing on the
16 team?

17 A Not exactly keep track, though I do know
18 they are good.

19 Q What do you know about them being good?

20 A They got second place in a tournament, I
21 think it was a tournament.

22 Q Are you friends with anyone on the boys'
23 golf team?

24 A No.

25 Q Why did you not go to tryouts for the

1 FURTHER THE DEPONENT SAITH NOT.

2 L.E.

3
4
5
6 Sworn to before me when
7 taken August 1, 2022.

8
9
10 /s/ Donna D. Touseull

11 Donna D. Touseull

12 Licensed Court Reporter

13 LCR No. 342 / License Expires: 06-30-2024
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

STATE OF TENNESSEE)

COUNTY OF KNOX)

I, DONNA D. TOUSEULL, Licensed Court Reporter in and the State of Tennessee, do hereby certify that I reported in machine shorthand the foregoing testimony held on the 1st day of August 2022 and that the foregoing 43 pages were transcribed by me and constitute a true record of the proceedings to the best of my knowledge and ability.

I further certify that I am not an attorney or counsel for any of the parties, nor an employee or relative of anyone connected with the action, nor financially interested in the action.

I further certify that I am duly licensed by the Tennessee Board of Court Reporting as a Licensed Court Reporter as evidenced by the LCR number and expiration date following my name below.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 19th day of August 2022.

/s/ Donna D. Touseull

DONNA D. TOUSEULL
Licensed Court Reporter
LCR No. 342 / License Expires: 06-30-2024